

Wetlands Bureau Decision Report

Decisions Taken
07/17/2006 to 07/23/2006

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2005-00118 LOON MTN RECREATION CORP
LINCOLN East Branch Pemigewasset River

Requested Action:

Approve name change to: Centex Homes, DBA Centex Destination Properties, 25 S. Mountain Rd., Lincoln, NH 03251 per request received 7/13/2006.

Inspection Date: 08/17/2001 by Craig D Rennie

APPROVE NAME CHANGE:

Dredge and fill 16,275 square feet of wetlands and 16,755 square feet of perennial and intermittent streams (impacting 3,360 linear feet within the bed and banks) to construct a ski lift to service South Mountain, a base lodge with associated parking, 5 ski trails, and to construct a subdivision road to access a 67-lot single family residential subdivision. Mitigate impacts by placing a conservation easement on 7.6 acres of land within the same watershed.

With Conditions:

1. All work shall be in accordance with plans by Horizons Engineering dated January 2005, as received by the Department on January 14, 2005.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback within the residential subdivision area.
3. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #2 of this approval.
4. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
5. This permit is contingent on approval by the DES Site Specific Program.
6. This permit is contingent on approval by the DES Subsurface Systems Bureau.
7. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Work shall be done during low flow.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. Culvert outlets shall be properly rip rapped.
13. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
15. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
16. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
17. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

MITIGATION CONDITIONS:

18. This permit is contingent upon the execution of a conservation easement on 7.6 acres of undeveloped land as depicted on plans received March 28, 2005.
19. The conservation easements to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
20. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
21. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.
22. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
23. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Env-Wt 502.02.

2005-02424 HITCHCOCK, RANDY
NORTHWOOD Bow Lake

Requested Action:

Amend permit to re-locate the perched beach adjacent to the proposed docking facility.

Conservation Commission/Staff Comments:

Con Com comments the abutters not been notified and they have concerns on what materials are to be used

APPROVE AMENDMENT:

Amend permit to read: Construct a 6 slip seasonal docking facility consisting of three 6 ft by 20 ft seasonal docks attached to a 6 ft by 58 ft seasonal walkway along the shoreline and construct a 30 ft by 30 ft beach with less than 10 cubic yards of sand on an average of 550 ft of frontage on Bow Lake, Northwood.

With Conditions:

1. All work shall be in accordance with plans by RSL Layout and Design dated June 26, 2005, 2006, as received by the Department on July 05, 2006.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
5. This shall be the only structure on this water frontage and all portions of the docking structure shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
6. Seasonal pier shall be removed from the lake for the non-boating season.
7. No portion of the docking structure shall extend more than 40 feet from the shoreline at full lake elevation.
8. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
9. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 514.8). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
10. The steps installed for access to the water shall be located completely landward of the normal high water line.

11. No more than 10 cu yd of sand may be used and all sand shall be located above the normal high water line.
12. This permit shall be used only once, and does not allow for annual beach replenishment.
13. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
14. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
15. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a major project per Rule Wt 303.02(d), construction of a major docking facility.
2. The applicant has an average of 550 feet of frontage along Bow Lake.
3. A maximum of 8 slips may be permitted on this frontage per Rule Wt 402.12, Frontage Over 75'.
4. The proposed docking facility and the existing dock will provide 8 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Wt 402.12.
5. Public hearing is waived based on field inspection, by NH DES staff, on January 10, 2006, with the finding that the project impacts will not significantly impair the resources of Bow Lake.

-Send to Governor and Executive Council-

2006-00273 MITCHELL, ALFRED & MARJOLAINE
LACONIA Lake Winnepesaukee

Requested Action:

Permanently remove two existing seasonal docks and construct three 4 ft by 30 ft piling piers connected by a 6 ft x 33 ft walkway in a "W" configuration accessed by a 6 ft by 25 ft piling supported walkway, install three 3 piling ice clusters, install two tie off piles adjacent to the northern and southern slips, install two 14 ft by 30 ft seasonal canopies over the center two slips, and install two seasonal PWC lifts along the shoreline on Lake Winnepesaukee, Laconia.

Conservation Commission/Staff Comments:

Con Com suggests seasonal dock.

APPROVE PERMIT:

Permanently remove two existing seasonal docks and construct three 4 ft by 30 ft piling piers connected by a 6 ft x 33 ft walkway in a "W" configuration accessed by a 6 ft by 25 ft piling supported walkway, install three 3 piling ice clusters, install two tie off piles adjacent to the northern and southern slips, install two 14 ft by 30 ft seasonal canopies over the center two slips, and install two seasonal PWC lifts along the shoreline on Lake Winnepesaukee, Laconia.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated February 06, 2006, revision date May 07, 2006, as received by the Department on May 10, 2006.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
5. Repairs shall maintain existing size, location and configuration.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. This permit does not allow for maintenance dredging.
8. The dock shall not extend more than 55 ft lakeward at full lake elevation of 504.32.
9. The minimum clear spacing between piles shall be 12 feet.

10. Construction debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Seasonal piers shall be removed prior to the construction of the permanent docking facility.
12. Canopies shall be of seasonal construction type with a flexible fabric cover which shall be removed for the non-boating season.
13. PWC lifts shall be of seasonal construction type which shall be removed for the non-boating season.
14. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(d), construction of a major docking facility.
2. The applicant has an average of 360 feet of frontage along Lake Winnepesaukee.
3. The existing docking facilities provide 6 slips.
4. The construction of proposed docking facilities will not result in an increase in the number of slips provided on the frontage nor will it increase the sq ft of construction surface area over public submerged lands.
5. The proposed docking facilities will provide the same number of slips while having less direct impact on the shoreline therefore Rule Env-Wt 402.20 has been met.
6. Public hearing is waived based on field inspection, by NH DES staff, on May 09, 2006, with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.

-Send to Governor and Executive Council-

2006-00388 BERGERON REVOC TRUST, DEBRA
DOVER Piscataqua River

Requested Action:

Modify an existing tidal docking structure by reducing an 8' wide section to 6' wide for the last 9' of length of the existing permanent 70' long permanent pier; replace existing deteriorated L-shaped ramp/floats with a 3' x 24' ramp to a 5' x 27' float attached in a L-shape to a 24' x 8' float, overall structure length 125', providing 2 full-sized slips on 92' of frontage on the Piscataqua River.

Inspection Date: 05/12/2006 by Dori A Wiggin

APPROVE PERMIT:

Modify an existing tidal docking structure by reducing an 8' wide section to 6' wide for the last 9' of length of the existing permanent 70' long permanent pier; replace existing deteriorated L-shaped ramp/floats with a 3' x 24' ramp to a 5' x 27' float attached in a L-shape to a 24' x 8' float, overall structure length 125', providing 2 full-sized slips on 92' of frontage on the Piscataqua River.

With Conditions:

1. All work shall be in accordance with revised plans by Pickering Marine dated 5/30/2006, as received by the Department on 5/31/2006.
2. Any future work in jurisdiction as specified in RSA 482-A on this property will require a new application and approval by the Department of Environmental Services ("DES") Wetlands Bureau.
3. The decking of the dock shall have a minimum of 6 ft. clearance from the surface of the tidal marsh or 1:1 ratio of deck height to width as appropriate, and shall have 3/4-inch spacing between the decking planks.
4. This permit shall not be effective until recorded at the Strafford County Registry of Deeds Office by the permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to construction.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in until the area is stabilized.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
8. Work shall be done during low tide.

9. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
10. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
11. The float shall be constructed such as to rest on float stops at low tide to prevent the float from sitting on the mud at low tide. Design of the float stops shall be coordinated among DES, National Marine Fisheries Service ("NMFS"), and the applicant, or applicant's marine contractor.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(a), projects in sand dunes, tidal wetlands, or bogs, except for the repair of existing structures pursuant to Wt 303.04(v).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. The applicant currently has a deteriorated grandfathered non-conforming docking structure on the property that will be repaired and reconstructed in a manner that complies with current regulations and policy.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03. The permanent pier is designed at one foot of height for each foot of structure width, with 3/4 inch spacing between decking to prevent shading of the tidal vegetation; has a seasonal ramp and float; and is the minimum length necessary to reach usable water on the Piscataqua River.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) and (c), Requirements for Application Evaluation, has been considered in the design of the project. There were no NH Natural Heritage Bureau reported species for the project property. This project has been reviewed by the Pease Development Authority Division of Ports and Harbors which determined that the project would have no negative effect on navigation in the channel, per letter dated 6/26/2006; and the dock is located greater than 20 feet off the abutting property lines. The Dover Conservation Commission intervened but did not report further.
5. This dock is consistent with other tidal dock approvals in the seacoast.
6. DES staff field inspection on 5/12/2006 with finds that the project impacts will not significantly impair the resources of this estuarine wetland ecosystem.
7. The permit has been conditioned to include the installation of float stops concurrent with comments received from National Marine Fisheries Service, the design of which is to be done in coordination with DES.

-Send to Governor and Executive Council-

2006-00625 NH DEPT OF TRANSPORTATION
RYE Seavey Creek

Requested Action:

The applicant has modified the plans (received July 10, 2006) and moved the proposed centerline of the road northerly which eliminates the impacts to wetlands on the south side.

WITHDRAW APPLICATION:

Accept the withdrawal of the application.

MINOR IMPACT PROJECT

2004-01737 COMLEY, JAMES & VIRGINIA
FRANCESTOWN Unnamed Wetland

Requested Action:

Retain 3,960 square feet of impacts to palustrine forested, scrub-shrub, and emergent wetlands to upgrade an existing logging road

including the installation of a 24-inch x 30-foot culvert and associated headwalls and a 3-foot (rise) x 5-foot (span) x 32-foot (length) box culvert with wingwalls; and, restore 1,440 square feet of palustrine forested wetlands associated with the removal of an existing driveway.

APPROVE PERMIT:

Retain 3,960 square feet of impacts to palustrine forested, scrub-shrub, and emergent wetlands to upgrade an existing logging road including the installation of a 24-inch x 30-foot culvert and associated headwalls and a 3-foot (rise) x 5-foot (span) x 32-foot (length) box culvert with wingwalls; and, restore 1,440 square feet of palustrine forested wetlands associated with the removal of an existing driveway.

With Conditions:

1. All work shall be in accordance with plans by Todd Land Use Consultants dated April 7, 2006, as received by the DES Wetlands Bureau on April 17, 2006.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. All work shall be done during low flow.
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
6. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
8. Silt fence(s) must be removed once the area is stabilized.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. The restoration area shall be monitored and a written report documenting its condition shall be submitted to the DES Wetlands Bureau by July 15 of the year following project completion. The report shall include photographic documentation. The DES Wetlands Bureau shall require subsequent monitoring and may require corrective measures if the area is not adequately stabilized and restored.
11. Wetland restoration shall not be considered successful if sites are newly invaded by nuisance species such as common reed or purple loosestrife during the first full growing season following project completion. The applicant shall work with the DES Wetlands Bureau to attempt to eradicate nuisance species newly found within the restoration area during this same period.
12. The wetland restoration area shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or they shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
13. The box culvert shall be embedded and native material removed from the wetland during culvert installation shall be stockpiled separately and reused to emulate a natural bottom within the culvert. Any nonnative materials used must be similar to the natural substrate and shall not include angular rip-rap.
14. Temporary structures installed to channel flow through the work area during construction shall be entirely removed immediately following construction.
15. Proper headwalls shall be constructed within seven days of culvert installation.
16. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering or working near surface waters or wetlands.
17. Faulty equipment shall be repaired prior to entering jurisdictional areas.
18. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
19. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the DES Wetlands Bureau's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The subject property is currently served by two access ways: a driveway to an existing mobile home and a road constructed for forestry purposes.
6. On May 20, 2005, the DES Wetlands Bureau received a complaint referencing the subject property stating that fill was dumped on the existing forest access road and that the failure to install a culvert created a blockage of water flow. The DES Wetlands Bureau issued a letter to the applicant dated June 7, 2005 stating that the DES received a complaint of possible violations on the subject property.
7. The DES Wetlands Bureau issued a second letter to the applicant dated October 27, 2005 stating that additional wetland impact occurred when the logging road was upgraded for timber harvest and that in order to resolve the compliance issues, the applicant would need to file a Standard Dredge and Fill Application. The DES Wetlands Bureau stated that as part of the permit application, the applicant was required to remove the excessive side-slope fill, stabilize the road and side slopes, and install properly sized culverts.
8. The Conservation Commission submitted comments to the DES Wetlands Bureau (received May 1, 2006) stating that in their opinion, relocating the mobile home driveway would cause significantly more disturbance to jurisdictional wetlands than maintaining the existing driveway, which has been used for at least 35 years to their knowledge. The Conservation Commission also stated that it appears the existing mobile home driveway could be used to access the further end of the property and that they do not see the need for the driveway relocation. They also stated that they would prefer to see the access that is currently in violation (the logging road) be restored in order to restore the hydrology in the area and the current driveway to the mobile home be retained.
9. The proposed upgrades to the existing logging road are necessary to restore the hydrologic connection between the previously contiguous wetland system and upgrade the road for potential future use as a subdivision access road.
10. Removal of the driveway serving the mobile home and restoration of the associated wetlands crossing will restore the hydrologic connection between the previously contiguous wetland system.
11. The DES Wetlands Bureau finds that the proposed upgrades of the existing logging road and restoration of the driveway fulfill the requirements of the enforcement action on the subject property.
12. A site plan illustrating a conceptual 7-lot cluster subdivision was submitted in support of the permit application. The future extension of the access road for use as a subdivision access road will require approximately 1,000 square feet of additional wetlands impacts.
13. The DES Wetlands Bureau finds that upgrading the existing logging road for potential future use as a subdivision access road will not result in significantly greater impacts to jurisdictional areas when compared to the driveway serving the mobile home which would also require upgrades for use as a subdivision access road. The wetlands crossing necessary for the extension of the proposed subdivision access road would likely not be avoided due to the terrain of the subject property.
14. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau will require a new application and approval by the Bureau. If the additional impacts are proposed within 5 years of the issuance date of this permit, the DES Wetlands Bureau shall consider the impacts in the aggregate per RSA 482-A:11 V.
15. Approximately 1,440 square feet of uplands will also be restored as part of the restoration plan.

2006-00218 KLOACK ET AL, ANDREW
EAST HAMPSTEAD Unnamed Wetland

Requested Action:

Agent requests to ammend permit conditions.

Conservation Commission/Staff Comments:

The Hampstead Conservation Commission supports the project

Inspection Date: 04/26/2006 by Eben M Lewis

APPROVE AMENDMENT:

Dredge and fill 13,800 s.f. of an abandoned fire pond and drainage swale for the construction of a 11,640 s.f. retail pharmacy on a commercial lot of 1.81 acres.

With Conditions:

1. All work shall be in accordance with plans by T.F. Moran, Inc. dated February 27, 2006 and revised April 19, 2006, as received by the Department on May 2, 2006.
2. Amend Condition to read: This permit is contingent upon receipt by the DES of proof of payment in the amount of \$19,500 as outlined in the "Agreement" between Arista Development, LLC and the Rockingham Land Trust made on May 1, 2006.
3. DES staff shall be notified in writing prior to commencement of work and upon its completion.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
6. Work shall be done during seasonal low flow conditions.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

Wetland preservation:

****Conditions 1 & 3-7 are amended as follows****

1. The conservation easement on 50.3 acres as depicted on the plans received January 30, 2006 shall be in place by September 15, 2006.
2. The conservation easements to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
3. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Rockingham County Registry of Deeds Office. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau within 10 days of recording.
4. A report summarizing existing conditions within the conservation area shall be submitted to the DES and the grantee to serve as future monitoring of the easement. Said report shall be provided to DES no later than December 21, 2006 and contain photographic documentation of the easement area.
5. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments.
6. The Wetlands Bureau shall be notified of the placement of the easement monuments to coordinate on-site review of their location.
7. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited except where necessary to complete the restoration of previously degraded wetland areas in accordance with an approved restoration plan by DES.
8. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h) Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01, as the applicant wished to develop the

lot.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03, as the man-made fire pond that exists in no longer functional as fire pond due to the construction of NH Route 11 and the subsequent filling. The applicant proposes to construct a bioretention pond which will afford the downstream and off-site areas better protection from sedimentation and suspend solids, as there is currently no protection.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. Pursuant to Wt 302.03(b), the applicant submitted a compensatory mitigation proposal in accordance with Chapter Wt 800, as a conservation easement on 50.3 acres will be deeded to the Rockingham Land Trust.
6. In accordance with Wt 304.04, the applicant obtained written concurrence from those abutters whose property boundaries are within 20-feet of the proposed impacts.
7. DES Staff conducted a field inspection of the proposed project on April 26, 2006.
8. On June 12, 2006, DES received a request to amend the permit condition language.

2006-00461 DUNBARTON, TOWN OF
DUNBARTON Unnamed Wetland

Requested Action:

Dredge and fill approximately 623 sq. ft. (10 linear ft.) of scrub-shrub and open water wetlands for the installation of a dry hydrant.

Conservation Commission/Staff Comments:

1. The Conservation Commission recommended the permit be issued.
2. The New Hampshire Fish & Game Department did not submit comments.

APPROVE PERMIT:

Dredge and fill approximately 623 sq. ft. (10 linear ft.) of scrub-shrub and open water wetlands for the installation of a dry hydrant.

With Conditions:

1. All work shall be in accordance with plans by J.E. Belanger Land Surveying PLLC dated May 10, 2006, as received by the Department on June 22, 2006 and narratives by Schauer Environmental Consultants, L.L.C., dated March 2, 2006, as received by the Department on March 6, 2006 and narratives dated June 22, 2006, as received by the Department on June 22, 2006.
2. Work shall be done during low flow.
3. There shall be no excavation or operation of construction equipment in flowing water.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. Restoration of temporary wetlands impacts shall have at least 75% successful establishment of wetlands vegetation after one growing season, or it shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
8. Banks shall restored to their original grades and to a stable condition within three days of completion of construction.
9. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
10. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid and repaired immediately before conducting any work within or adjacent surface waters or wetlands.
12. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each

operator shall be trained in its use.

13. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), Projects involving less than 20,000 sq. ft. of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant submitted information stating that the proposed dry hydrant was required as a condition of a previous Town of Dunbarton subdivision approval.
6. The associated subdivision received a permit for 1,869 sq. ft. of wetlands impacts (Wetlands Bureau Permit #2005-646).
7. The applicant submitted a construction easement for the proposed project.
8. The applicant submitted a written agreement from an abutter within 20 feet of the proposed wetlands impacts.

**2006-00533 TROOP, ROBERT & CYNTHIA
MEREDITH Lake Winnepesaukee**

Requested Action:

Amend permit to include 31 ft of wall repair.

Conservation Commission/Staff Comments:

Con Com has no adverse comments

APPROVE AMENDMENT:

Amend permit to read: Remove an existing permanent docking structure and construct two 6 ft by 30 ft piling piers attached by a 6 ft by 12 walkway over the bank, install two, 3 piling ice clusters, install a permanent boatlift with a 14 ft by 30 ft seasonal canopy in the center slip, and install two seasonal PWC lifts along the northern shore, repair 31 linear ft of wall along the shoreline on Lake Winnepesaukee, Meredith.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated June 30, 2006, as received by the Department on July 07, 2006.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
5. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
7. Construction debris and material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Canopies shall be of seasonal construction type with a flexible fabric cover which shall be removed for the non-boating season.
9. PWC lifts shall be of seasonal construction type which shall be removed for the non-boating season.
10. These shall be the only structures on this water frontage and all portions of the docking structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.

11. No portion of the piers shall extend more than 30 feet from the shoreline at full lake elevation.
12. Repair shall maintain existing size, location and configuration.
13. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction or modification of a 3 slip docking facility.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has an average of 150 feet of shoreline frontage along Lake Winnepesaukee.
4. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.12, Frontage Over 75'.
5. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.12.

2006-00621 HOSKINS, JACK
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Remove a 4 ft x 30 ft seasonal pier and construct an "h-shaped" piling supported docking facility consisting a 6 ft x 42 ft pier connected to a 6 ft x 30 ft pier by a 4 ft x 12 ft walkway on 160 ft of frontage on Lake Winnepesaukee in Moultonborough.

APPROVE PERMIT:

Remove a 4 ft x 30 ft seasonal pier and construct an "h-shaped" piling supported docking facility consisting a 6 ft x 42 ft pier connected to a 6 ft x 30 ft pier by a 4 ft x 12 ft walkway on 160 ft of frontage on Lake Winnepesaukee in Moultonborough.

With Conditions:

1. All work shall be in accordance with revised plans by Winnepesaukee Marine Construction as received by the Department on June 21, 2006.
2. This permit shall not be effective until it has been recorded with the appropriate County Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. No portion of the proposed pier shall extend more than 42 ft from the normal high water mark.
4. The minimum clear spacing between pile bents shall be 12 feet.
5. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
6. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
7. Stairs accessing the dock shall be constructed over the bank and not recessed into the bank.
8. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03 (d), construction of a pier.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 160 feet of shoreline frontage along Lake Winnepesaukee.
6. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.12, Frontage Over 75'.
7. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.12.

2006-00841 NH DEPT OF TRANSPORTATION
NEW LONDON Lion Brook

Requested Action:

Line an 84 in. structural plate arch culvert with corrugated metal and place stone at outlet to prevent scouring impacting a total of 994 sq. ft. (680 sq. ft. temporary) of Lion Brook.

Conservation Commission/Staff Comments:

Cons. Comm. - no comments

APPROVE PERMIT:

Line an 84 in. structural plate arch culvert with corrugated metal and place stone at outlet to prevent scouring impacting a total of 994 sq. ft. (680 sq. ft. temporary) of Lion Brook. (NHDOT project #M214-8)

With Conditions:

1. All work shall be in accordance with:
 - a. Plans by NHDOT Maintenance District 2 dated 4-11-06, as received by the Department on April 21, 2006 and
 - b. Per Inter-Department Memo dated and received July 19, 2006.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Unconfined work within the brook, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
4. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
5. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
6. Temporary cofferdams shall be entirely removed immediately following construction.
7. Construction equipment shall not be located within surface waters.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
10. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.
13. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
14. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
15. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
16. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(l), alteration of less than 200 linear feet of banks of a stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application

Evaluation, has been considered in the design of the project.

5. The applicant has coordinated the project with the NH Fish and Game Dept. to reduce impacts to species of concern.

MINIMUM IMPACT PROJECT

2003-00764 H & F CONSTRUCTION, GERALD HOLMBERG
WOLFEBORO Unnamed Wetland

Requested Action:

Dredge and fill 250 square feet including installation of an 18-inch x 25 foot culvert and a 24-inch x 16 foot culvert for driveway access to a proposed single family building location.

Conservation Commission/Staff Comments:

The conservation commission has not commented on this project.

APPROVE AMENDMENT:

Dredge and fill 250 square feet including installation of an 18-inch x 25 foot culvert and a 24-inch x 16 foot culvert for driveway access to a proposed single family building location.

With Conditions:

1. All work shall be in accordance with plans by Fernstone Associates Inc dated September 24, 2002 and revised through June 26, 2006, as received by the Department on June 29, 2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
4. Work shall be done during periods of non-flow.
5. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Culvert inverts shall be laid at existing grade.
9. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. The wetland has changed significantly due to the relocation of the stream off of the property by others.
2. The approved design takes into consideration the possibility of the stream being relocated back to it's original course.

2005-02040 VAUGHN, MARK
ALTON Treasure Island

Requested Action:

Construct 4 ft wide lake access steps and remove 0.75 cu yd of rock for a walkway landward of the reference line on 124 ft of

frontage in Alton, Treasure Island on Lake Winnepesaukee.

APPROVE PERMIT:

Construct 4 ft wide lake access steps and remove 0.75 cu yd of rock for a walkway landward of the reference line on 124 ft of frontage in Alton, Treasure Island on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction revised June 21, 2006, as received by the Department on June 22, 2006.
2. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
3. No rock shall be dredged, lakeward or below the normal high water mark elevation 504.32.
4. New walkways between the reference line and the 50 ft primary building setback for lake access shall not exceed a 6 ft width.
5. Excessive removal of vegetation is prohibited and shall be in accordance with RSA 483-B.
6. No fertilizers shall be used within 25 ft to the reference line. Low or no phosphate, slow release nitrogen fertilizer shall only be used within 250 ft to 25 ft of the reference line.
7. If shoreland stabilization methods replacing of removed rock are deemed ineffective, landowner shall immediately install appropriate erosion controls, and shall have a stormwater/erosion control management plan developed by a certified professional in erosion and sediment control and submit a copy of the stamped plan to the Department for review and approval prior to implementation.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
10. Lake access stairs shall not exceed a 6 ft width and shall not be installed lakeward of the normal high water mark.
11. This permit does not authorize more than a 6 linear ft disturbance along the shoreline.
12. This permit does not authorize retaining wall construction
13. Rock along naturally vegetated shoreline shall remain as the shoreline is stable.
14. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(0). 2. The need for
- the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-02113 NH DEPT OF TRANSPORTATION
WARNER Unnamed Wetland

Requested Action:

Temporarily impact 2,000 sq. ft at the inlet of a 30 in. culvert (easterly of the northbound lane) and temporarily impact 750 sq. ft. at the outlet (located between the north and southbound lanes) to remove beaver debris, repair/ replace the culvert and stabilize slopes.

APPROVE PERMIT:

Temporarily impact 2,000 sq. ft at the inlet of a 30 in. culvert (easterly of the northbound lane) and temporarily impact 750 sq. ft. at the outlet (located between the north and southbound lanes) to remove beaver debris, repair/ replace the culvert and stabilize slopes.
#M526-89-15.

With Conditions:

1. All work shall be in accordance with undated plans by NHDOT District 5 as received by the Department on July 13, 2006.

2. NO work shall occur on the westerly side of the southbound lane.
3. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
5. Construction equipment shall not be located within surface waters.
6. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
8. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
9. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Work shall be done during low flow.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(x), maintenance, repair and replacement of a culvert.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The modified plans received on July 13, 2006 eliminates all work previously proposed westerly of the southbound lane and therefore the project will not impact any exemplary natural community.

2005-02176

ONEIL, EDWARD

BARTLETT Unnamed Wetland

Requested Action:

Dredge and fill approximately 1,861 square feet of wetlands and approximately 50 linear feet of intermittent stream for septic system installation for and driveway access to one lot of a 2-lot subdivision on 9.83 acres, further described as follows:

1. Dredge and fill approximately 685 square feet of wetlands to install twin 18-inch x 24-foot CMP culverts for driveway access and sewer line installation; and
2. Temporarily impact approximately 1,176 square feet of wetlands along approximately 50 linear feet of intermittent stream for temporary access to proposed septic area.

Inspection Date: 04/25/2006 by Kirsten Pulkkinen

APPROVE PERMIT:

Dredge and fill approximately 1,861 square feet of wetlands and approximately 50 linear feet of intermittent stream for septic system installation for and driveway access to one lot of a 2-lot subdivision on 9.83 acres, further described as follows:

1. Dredge and fill approximately 685 square feet of wetlands to install twin 18-inch x 24-foot CMP culverts for driveway access and sewer line installation; and
2. Temporarily impact approximately 1,176 square feet of wetlands along approximately 50 linear feet of intermittent stream for temporary access to proposed septic area.

With Conditions:

1. All work shall be in accordance with plans by Ammonoosuc Survey, Inc. dated April 20, 2005 and revised through April 05, 2006, as received by the Department on May 04, 2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.

3. Work shall be done during low flow conditions.
4. There shall be no impact to Dinsmore Brook bed or bank during access road construction and septic line installation.
5. Both intermittent and perennial stream beds shall be left intact.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Culverts shall be laid at original grade.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
13. Area of temporary impact shall be regraded to original contours following completion of work.
14. All material removed during work activities shall be removed down to the level of the original hydric soils.
15. Mulch within the restoration area shall be straw.
16. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers specifications. The receipt and contents of the wetland mix shall be supplied to NHDES within 10 days of application.
17. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during access road construction and septic line installation and areas cleared of vegetation to be revegetated with native like species within three days of the completion of this project.
18. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
19. The applicant shall notify DES Wetlands Bureau and the local conservation commission in writing of their intention to commence construction no less than 5 business days prior to construction.
20. A post-construction report documenting the status of the restored temporarily impacted wetland and intermittent stream and completed Dinsmore Brook horizontal directional drilled septic line with photographs shall be submitted to the DES Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet of wetlands.
2. The applicant has agreed to Horizontal Directional Drill the septic line beneath Dinsmore Brook.
3. To comply with Env-Wt 304.04 the applicant relocated the proposed driveway to avoid permanent wetland impacts within 20-feet of the abutting property line.
4. The applicant has provided a waiver request per Env-Wt 204.03, to waive the 20-foot setback from the abutting property line for temporary wetland impacts associated with access to the proposed septic location, as required by Env-Wt 304.04.
5. Alternate access to the proposed septic would require temporary impacts to Dinsmore Brook.
6. Relocating the impacts to meet the 20-foot setback would increase the overall impacts to the wetland/intermittent stream resource and would impact a more valuable portion of the system.
7. The proposed temporary access will utilize a existing travel way.
8. There will be no adverse effect to the environment or natural resources of the state, public health, or public safety; or on abutting properties that is more significant than that which would result from complying with the Env-Wt 304.04.
9. The waiver is granted in accordance with Env-Wt 204.04(b), as strict compliance with the rule will provide no benefit to the public and will cause an operational or economic hardship to the applicant.
10. This permit is contingent on DES Subsurface Systems Bureau approval.
11. DES Staff conducted a field inspection of the proposed project on April 25, 2006 that determined the wetland declination was accurate.
12. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction per Env-Wt 302.03.
13. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
14. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application

Evaluation, has been considered in the design of the project.

2006-00603 BANKS FAMILY NEW HAMPSHIRE TRUST, JAMES BANKS
ALTON BAY Lake Winnepesaukee

Requested Action:

Repair/Replace a "C-shaped" rock supported docking facility consisting of a 6 ft x 25 ft rock supported pier connected to a 8 ft x 24 ft rock supported pier attached to a 5 ft x 47 ft walkway paralleling the shoreline on 100 ft of shoreline in Alton Bay on Lake Winnepesaukee.

APPROVE PERMIT:

Repair/Replace a "C-shaped" rock supported docking facility consisting of a 6 ft x 25 ft rock supported pier connected to a 8 ft x 24 ft rock supported pier attached to a 5 ft x 47 ft walkway paralleling the shoreline on 100 ft of shoreline in Alton Bay on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with revised plans by Matthew Wood as received by the Department on July 11, 2006.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Repair shall maintain the grandfathered size, location and configuration.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Rocks shall not be stockpiled in jurisdiction.
6. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if it later determines that any "existing structures" were not previously permitted or grandfathered in their current configuration.
7. Existing rocks shall be used for repair, no more rocks shall be added.
8. This permit does not allow for maintenance dredging.
9. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
10. Work shall be carried out in a time and manner such that there will be no disturbance to migratory waterfowl breeding areas or fish spawning areas.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(v) maintenance, repair and replacement in-kind of existing docking structures.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2006-01010 BALZARINI, RICHARD
ALTON Barndoor Island

Requested Action:

Remove an existing 4 ft x 32 ft seasonal pier, retain a 4 ft x 4 ft concrete pad accessed by a 4 ft x 4 ft concrete step and install a new 4 ft x 32 ft seasonal pier 38 ft north of the pre-existing pier on 145 ft of frontage on Barndoor Island on Lake Winnepesaukee.

APPROVE PERMIT:

Remove an existing 4 ft x 32 ft seasonal pier, retain a 4 ft x 4 ft concrete pad accessed by a 4 ft x 4 ft concrete step and install a new 4 ft x 32 ft seasonal pier 38 ft north of the pre-existing pier on 145 ft of frontage on Barndoor Island on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans modified by Ms. Balzarini as received by the Department on July 14, 2006.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. The existing pier shall be removed prior to the installation of the new 4 ft x 32 ft pier.
4. This shall be the only docking structure on this water frontage and all portions of the dock shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
5. The seasonal pier shall be removed from the lake for the non-boating season.
6. No portion of the pier shall extend more than 32 feet from the shoreline at full lake elevation.
7. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(d), construction of a 2 slip seasonal pier.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has 145 feet of shoreline frontage along Lake Winnepesaukee.
6. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.12, Frontage Over 75'.
7. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.12.
8. An abutting property owner has filed a complaint alleging that the existing pier was installed and rocks were moved on the shoreline without a permit and that those impacts encroach on the imaginary extension of said owners property line without his permission.
9. The Alton Conservation Commission has stated that it is uncomfortable commenting on the application as the property line in question is being contested.
10. The pre-existing dock that was the subject of the complaint is to be removed.
11. The new pier will meet the setback to the contested property line.
12. The new pier meets the requirements of RSA 482-A and the current Wetlands Program Code of Administrative Rules, Chapters 100-800.

2006-01151 MARCINKEVICH, VICKI
MANCHESTER Unnamed Wetland

Requested Action:

Dredge and fill approximately 2,300 sq. ft. palustrine forested, deciduous, semi-permanently flooded, excavated wetlands to construct a 31,000 sq. ft. auto sales building, parking and associated drainage.

APPROVE PERMIT:

Dredge and fill approximately 900 sq. ft. palustrine forested, deciduous, semi-permanently flooded, excavated wetlands to construct a 31,000 sq. ft. auto sales building, parking and associated drainage.

With Conditions:

1. All work shall be in accordance with plans by HTA Kimball Chase Consulting Engineers revision dated July 5, 2006 and July 12, 2006, as received by the Department on July 18, 2006.
2. This permit is contingent on approval by the DES Site Specific Program.
3. Work shall be done during low flow.

4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Orange construction fencing shall be placed at the limits of construction adjacent to wetlands to prevent accidental encroachment.
8. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
10. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
11. Silt fencing must be removed once the area is stabilized.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
13. A post-construction report with photographs documenting the status of the wetlands impacts and associated drainage swale area shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
14. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
15. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid and repaired immediately.
16. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
17. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 sq. ft. of wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The proposed project is re-development of an existing retail site.
6. The applicant's original proposal was for approximately 2,300 sq. ft. of wetlands impacts. In response to comments from DES the wetlands impacts were reduced to approximately 900 sq. ft.
7. The proposed wetlands impact area appears to be man-made and disturbed by historical site alteration.
8. The stormwater entering the existing onsite wetlands and stormwater leaving the site is currently untreated.
9. This permit is contingent on approval by the DES Site Specific Program.
10. The proposed wetlands impacts and subsequent drainage and treatment structures should improve the quality of the remaining wetlands on site and improve the quality of the stormwater leaving the site.
11. The New Hampshire Fish & Game Department did not submit comments to DES.
12. The Conservation Commission did not submit comments to DES.

2006-01227 MARRA, JOHN & CONSTANCE
NEWTON Unnamed Wetland

Requested Action:

Impact 1,299 square feet of palustrine emergent wetland for the installation of a 15-inch by 60-foot culvert for the construction of a roadway and cul-de-sac to provide access to a 5 lot single family subdivision on 9 acres.

Conservation Commission/Staff Comments:

The Newton Conservation Commission did not comment on the project.

APPROVE PERMIT:

Impact 1,299 square feet of palustrine emergent wetland for the installation of a 15-inch by 60-foot culvert for the construction of a roadway and cul-de-sac to provide access to a 5 lot single family subdivision on 9 acres.

With Conditions:

1. All work shall be in accordance with Katherine Drive Plan and Profile plan (Sheet RP1) by Steven E. Cummings, P.E. dated April 24, 2006, as received by the Department on April 24, 2006.
2. DES staff shall be notified in writing prior to commencement of work and upon its completion.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
7. Work shall be done during seasonal low flow conditions.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet of
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01, as the impacts are necessary for access.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03, as the wetlands will be crossed at the narrowest locations.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2006-01278 NEW ENGLAND POWER COMPANY
LITTLETON Unnamed Wetland

Requested Action:

Temporarily impact approximately 41,830 square feet of palustrine scrub-shrub wetlands in a utility right-of-way easement to replace of existing wood structures, lightning protection wires, installation of new anchors at existing structure locations, and the use of swamp mats for associated access along two existing 6-mile electric aerial power lines (C203 and D204). Twenty-nine (29) wetland crossings are proposed, including two (2) crossings to access structures in the right-of-way and twenty-seven (27) crossing to access structures that are located in or proximate to wetlands and require wood pole replacement, crossarm replacement, or both. Impacts are further describes as follows:

1. Impact 18,730 square feet for wetlands crossings and structure access; and
2. Impact 13,100 square feet for swamp mat wetland alteration at structure; and
3. Impact 10,000 square feet for wetland alteration for anchor and structure installation.

APPROVE PERMIT:

Temporarily impact approximately 41,830 square feet of palustrine scrub-shrub wetlands in a utility right-of-way easement to

replace of existing wood structures, lightning protection wires, installation of new anchors at existing structure locations, and the use of swamp mats for associated access along two existing 6-mile electric aerial power lines (C203 and D204). Twenty-nine (29) wetland crossings are proposed, including two (2) crossings to access structures in the right-of-way and twenty-seven (27) crossing to access structures that are located in or proximate to wetlands and require wood pole replacement, crossarm replacement, or both. Impacts are further describes as follows:

1. Impact 18,730 square feet for wetlands crossings and structure access; and
2. Impact 13,100 square feet for swamp mat wetland alteration at structure; and
3. Impact 10,000 square feet for wetland alteration for anchor and structure installation.

With Conditions:

1. All work shall be in accordance with plans by New England Power Construction Company (New England Power Service Company) dated October 1954, and revised October 20, 2004, as received by the DES Wetlands Bureau on May 25, 2006.
2. The permittee shall coordinate with the NH Division of Historical Resources to assess and mitigate the project's effect on historical resources.
3. Any future work in the utility right-of-way that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
4. No work shall occur within ½ mile of the Osprey (*Pandion haliaetus*) nest site between March 15 and August 1.
5. Two week advance notification to the DES Wetlands Bureau and the Nongame and Endangered Wildlife Program of the NH Fish and Game Department is required for any work involving the Osprey nest pole.
6. Notification to the DES Wetlands Bureau and the Nongame and Endangered Wildlife Program of the NH Fish and Game Department is required regarding any changes in the line height.
7. Maintenance work shall maintain existing size, location and configuration.
8. All work shall be conducted under low flow or low groundwater conditions or during frozen ground conditions.
9. No streams shall be crossed.
10. In the event an intermittent stream crossing is needed for a stream with a bed of 10-feet or less the applicant shall submit stream crossing plans shall be submitted to the Department for approval prior to construction.
11. In the event a stream crossing is needed for an intermittent with a bed greater than 10 feet or for a perennial stream the applicant shall file a permit amendment with the Department.
12. Prior to the installation; swamp mats shall be inspected for and removed of all vegetative matter.
13. Equipment used shall be designed to have low ground contact pressure or placed on temporary swamp mats so as to minimize rutting of the soils. Swamp mats shall be removed immediately upon completion of work in a particular area so as not to result in permanent impacts.
14. Prior to installation, new wood-pole structures; and upon removal, old wood-pole structures and appurtenances shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
15. The contractor shall remove the stumps of the old wood-pole structures in wetlands. If removal of the stump(s) will result in increased wetlands impacts, due to increased soil disturbance, the pole(s) shall be cut off at ground level.
16. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
17. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
18. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
19. Silt fence(s) must be removed once the area is stabilized.
20. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
21. Construction shall be inspected by a qualified wetland scientist, erosion control specialist, or professional engineer to ensure that appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.
22. All temporary impacts to wetlands shall be restored to natural grade, stabilized, and replanted with native vegetation where necessary.
23. All temporary impact to wetland shall be regarded to original contours and stabilized within 72 hours following the completion of work and 30 days of the start of work.

24. Any clearing required in utility line rights-of-way shall be in accordance with the "Best Management Practices for Erosion Control on Timber Harvesting Operations in New Hampshire." Timber, slash and/or chips shall be removed from wetland areas and shall not be buried in wetlands.
25. Wetland topsoil shall be stripped and segregated from subsoil and stockpiled separately from subsoil during construction. Soils shall be properly backfilled and restored to pre-existing grades.
26. The right-of-way shall be monitored and a written report documenting its condition shall be submitted to the DES Wetlands Bureau by July 15 of the year following project completion. The report shall include photographic documentation. The DES Wetlands Bureau shall require subsequent monitoring and may require corrective measures if the right-of-way is not adequately stabilized and restored.
27. Wetland restoration shall not be considered successful if sites are newly invaded by nuisance species such as common reed or purple loosestrife during the first full growing season following project completion. The applicant shall work with the DES Wetlands Bureau to attempt to eradicate nuisance species newly found along the right-of-way during this same period.
28. Wetland restoration of temporary impact areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or they shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
29. There shall be no excavation or operation of construction equipment in flowing water.
30. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering wetlands.
31. Faulty equipment shall be repaired prior to entering wetlands.
32. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
33. All refueling of equipment shall occur 100 feet away from surface waters or wetlands during construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(af), temporary impacts associated with the inspection, maintenance, and repair of existing utility lines within an existing utility right of way.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant's routine inspection of the structures located along the length of the transmission line has revealed the need to replace existing deteriorated structures and components in order to continue to provide reliable electric services.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the DES Wetlands Bureau's jurisdiction per Wt 302.03.
5. The applicant has minimized wetlands impacts to the greatest extent practicable by proposing to access the structures via established street crossings and upland access routes to minimize wetlands crossings.
6. The project was designed using environmental procedures and practices applicable to the proposed right-of-way work from the "National Grid USA Environmental Policy EG-1200, ROW Access, Maintenance, and Construction BMP" to minimize wetlands impacts.
7. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
8. Per Wt 501.01, notification of abutters is not required for projects in utility rights-of-way.
9. Twenty-nine (29) wetland crossings are proposed, including two (2) crossings to access structures in the right-of-way and twenty-seven (27) crossing to access structures that are located in or proximate to wetlands and require wood pole replacement, crossarm replacement, or both
10. Wood poles are replaced by excavating a narrow hole 8 to 11 feet deep directly adjacent to the existing wood pole. These excavations temporarily affect approximately 100 square feet of area, approximately 50 square feet for the actual excavation and 50 square feet for the incidental workspace and temporary stockpiling of excavated material. The new wood-pole structure is backfilled and the old poles are removed to an upland stockpile area pending permanent disposal.
11. Guy anchors are installed by excavating a narrow hole approximately 6 to 8 feet deep to install a two or three foot diameter plank and anchor assembly.
12. For all excavations, wetland topsoil will be stripped and segregated from subsoil and stockpiled separately from subsoil. Upon completion, the soil is backfilled and the wetland topsoil is placed back on top to the pre-existing grade.
13. Swamp maps will be deployed to facilitate access and construction and will not be deployed simultaneously along the entire length of the transmission line. Swamp mats will be removed after work at each location is completed.
14. The use of swamp mats will minimize the potential adverse effects during construction, such as soil rutting and compaction, and vegetation root disturbance. Although the mats will temporarily "bend over" or "mat down" the existing vegetation, soil compaction and the effect on existing vegetation will be minimal since the mats will protect the root and seed stock, thereby

allowing the wetlands to naturally revegetate during the following growing season.

15. This permit is contingent on thorough inspection of swap mats for vegetative matter.

16. Following work completion and mat removal, the temporarily disturbed areas will be mulched and the applicant will inspect the right-of-way to ensure that appropriate conditions exist for wetland vegetation to re-establish. If deemed necessary, a wetland seed mix (containing seeds of native wetland species) will be applied to the disturbed areas to facilitate revegetation.

17. The right-of-way shall be monitored and a written report documenting its condition shall be submitted to the DES Wetlands Bureau by July 15 of the year following project completion. The report shall include photographic documentation. The DES Wetlands Bureau shall require subsequent monitoring and may require corrective measures if the right-of-way is not adequately stabilized and restored.

18. The transmission line traverses several buffer areas of known occurrences of endangered or threatened plant species recorded with the NH Natural Heritage Bureau. The NH Natural Heritage Bureau's comments suggest that the proposed project will have no direct impacts on the documented occurrences of protected plant communities. Secondary impacts could result if proper measures to prevent water quality degradation are not employed.

19. The NH Natural Heritage Bureau identified known occurrence the Bald Eagle (*Haliaeetus leucocephalus*) and Osprey (*Pandion haliaetus*) in the vicinity of the project.

20. The Nongame and Endangered Wildlife Program of the NH Fish and Game Department does not expect impact to bald eagle as a result of the project because there are no known nest or wintering eagle use within the project limits.

21. The Nongame and Endangered Wildlife Program of the NH Fish and Game Department indicated a known Osprey nest in the project area on structure 343, on line NEP 451/452, which is the line adjacent to the line on which work is proposed).

22. The Nongame and Endangered Wildlife Program of the NH Fish and Game Department had the following recommendations/requests regarding the Osprey nest: a) No change in transmission line height, b) Two week advance notification of any changes in the transmission line height, c) No work within ½ mile of the nest site between March 15 and August 1, d) Two week advance notification of any work involving the nest pole.

23. The Littleton Conservation Commission supports the proposed project. No comments were submitted by the Monroe Conservation Commission.

2006-01428 CLARKSVILLE, TOWN OF
CLARKSVILLE Unnamed Wetland Drainage Ditch

Requested Action:

Dredge and fill approximately 1,150 square feet of intermittent stream (30 linear feet) and associated wetlands, further described as follows:

1. Impact four intermittent streams to replace three existing 18-inch x 30-foot HDPE culverts with 18-inch x 40-foot HDPE culverts and replace existing 12-inch x 40-foot HDPE culvert with a 15-inch x 40-foot HDPE culvert and excavate accumulated sediment and debris from outlets; and
2. Impact wetlands to excavate accumulated sediment and debris from roadside drainage.

APPROVE PERMIT:

Dredge and fill approximately 1,150 square feet of intermittent stream (30 linear feet) and associated wetlands, further described as follows:

1. Impact four intermittent streams to replace three existing 18-inch x 30-foot HDPE culverts with 18-inch x 40-foot HDPE culverts and replace existing 12-inch x 40-foot HDPE culvert with a 15-inch x 40-foot HDPE culvert and excavate accumulated sediment and debris from outlets; and
2. Impact wetlands to excavate accumulated sediment and debris from roadside drainage.

With Conditions:

1. All work shall be in accordance with plans by the David Chappell as received by the Department on June 12, 2006.
2. Work shall be done during low flow conditions.
3. Removal of sediment/debris from stream channel outlets shall not result in excavation of the channel below the natural stream grade.
4. The existing stream beds shall be left intact.
5. In the event there is flow at the time of construction a stream diversion plan shall be submitted to the Department prior to

construction. Those plans shall detail the timing and method of stream flow diversion

6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.

7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

9. Proper headwalls shall be constructed within seven days of culvert installation.

10. Culverts shall be laid at original grade.

11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

12. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during access road construction and areas cleared of vegetation to be revegetated with native like species within three days of the completion of this project.

13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(j), projects located within the right-of-way of a public road.

2. Permission was obtained for jurisdictional impacts within 20-feet of the abutting property.

3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2006-01592 WILSON, LEO
GROVETON Unnamed Wetland

Requested Action:

Dredge and fill 2,916 square feet of scrub-shrub wetlands to widen existing municipal wastewater treatment plant access road.

APPROVE PERMIT:

Dredge and fill 2,916 square feet of scrub-shrub wetlands to widen existing municipal wastewater treatment plant access road.

With Conditions:

1. All work shall be in accordance with plans by Watershed to Wildlife, Inc. as received by the Department on June 23, 2006.

2. Work shall be done during low flow conditions.

3. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.

4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.

6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

7. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet of wetlands.
2. Impacts are needed to provide sufficient and safe truck turnaround for access to existing municipal sewer manhole dumping station.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

FORESTRY NOTIFICATION

2006-01696 GREENE, PATRICIA
MASON Unnamed Stream

COMPLETE NOTIFICATION:
Mason Tax Map K, Lot# 46 & 47

2006-01737 LEWIS, DONALD
SWANZEY Unnamed Stream

COMPLETE NOTIFICATION:
Swanzy Tax Map 16, Lot# 1

2006-01747 BROADWATER, LINDA
CHESTER Unnamed Stream

COMPLETE NOTIFICATION:
Chester Tax Map 4, Lot# 28

2006-01776 ROCK, ROBERT & SUSAN
MARLOW Unnamed Stream

COMPLETE NOTIFICATION:
Marlow Tax Map 405, Lot# 71

2006-01782 SKLARIN, MICHEAL
EPSOM Unnamed Stream

COMPLETE NOTIFICATION:
Epsom Tax Map/Lot# R6/5 & V15/2142

2006-01785 WORTHEN, MARY
BRISTOL Unnamed Stream

COMPLETE NOTIFICATION:
Bristol Tax Map 210, Lot# 1

2006-01790 S & M FOREST TRUST, KATHY BOHRON
BARNSTEAD Unnamed Stream

COMPLETE NOTIFICATION:
Barnstead Tax Map 11, Lot# 3

EXPEDITED MINIMUM

2004-01790 IVEY, DORIS
SUNAPEE Sunapee Lake

Requested Action:
Repair an existing 12 ft of retaining wall on Lake Sunapee, Sunapee.

APPROVE PERMIT:
Repair an existing 12 ft of retaining wall on Lake Sunapee, Sunapee.

With Conditions:

1. All work shall be in accordance with plans, as received by the Department on August 02, 2004.
2. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
3. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
4. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
5. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
6. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

2006-00655 STAFF, RHODA
UNITY Unnamed Wetland

Requested Action:
Dredge and fill 400 square feet of palustrine forested wetlands to install one (1), 12-inch x 25-foot culvert to construct a driveway for access to one (1) lot of a 2-lot residential subdivision.

Conservation Commission/Staff Comments:

The Conservation Commission signed the application but did not submit comments.

APPROVE PERMIT:

Dredge and fill 400 square feet of palustrine forested wetlands to install one (1), 12-inch x 25-foot culvert to construct a driveway for access to one (1) lot of a 2-lot residential subdivision.

With Conditions:

1. All work shall be in accordance with plans by Beaver Tracks, LLC as received by the DES Wetlands Bureau on June 19, 2006, and plans by Paton Surveys, P.L.L.C. dated July 14, 2006 (revised), as received on July 17, 2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. The deed which accompanies the sales transaction of each lot in this subdivision shall contain condition #4 of this approval.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. All work shall be done during low flow.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized.
9. Silt fence(s) must be removed once the area is stabilized.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering or working near surface waters or wetlands.
13. Faulty equipment shall be repaired prior to entering jurisdictional areas.
14. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
15. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
16. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The impacts are necessary for the construction of a driveway to one (1) lot of a 2-lot residential subdivision.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the DES Wetlands Bureau's jurisdiction per Env-Wt 302.03. The driveway was configured to cross the wetland at the narrowest point.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Conservation Commission signed the application but did not submit comments.

Requested Action:

Temporary impact of 275 square feet of palustrine forested and scrub-shrub wetlands and 14 linear feet of intermittent stream to install three (3) pole crossings for logging operations.

Conservation Commission/Staff Comments:

The Conservation Commission signed the application but did not submit comments.

APPROVE PERMIT:

Temporary impact of 275 square feet of palustrine forested and scrub-shrub wetlands and 14 linear feet of intermittent stream to install three (3) pole crossings for logging operations.

With Conditions:

1. All work shall be in accordance with plans by True Engineering dated March 10, 2006, as received by the DES Wetlands Bureau on May 8, 2006.
2. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
3. No stumping shall occur.
4. No equipment shall be placed or operated in wetlands or surface waters or their banks.
5. Additional crossings of wetlands or surface waters for forestry purposes will require approval by the DES Wetlands Bureau.
6. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
7. All work shall be in accordance with Best Management Practices for Erosion Control on Timber Harvesting Operations in New Hampshire, NH Department of Resources and Economic Development, April 1996, updated February 2000.
8. All work shall be done during low flow.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to logging, shall be maintained during logging, and remain in place until the area is stabilized.
10. Silt fence(s) must be removed once the area is stabilized.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. All skid trails, truck roads and log landings shall be located far enough from wetlands or surface waters so that waterborne soil particles will settle out before reaching the wetlands or surface waters.
13. Pole crossings shall be removed when logging is completed in the area serviced by the crossing.
14. Equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to working near wetlands or surface waters.
15. Faulty equipment shall be repaired prior to working near jurisdictional areas.
16. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during logging and each operator shall be trained in its use.
17. All refueling of equipment shall occur away from wetlands or surface waters.
18. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(n), projects that alter the course of or disturb less than 50 linear feet, measured along the thread of the channel, of an intermittent nontidal stream channel or its banks provided construction is performed during periods of non-flow.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The impacts are necessary for the installation of pole crossings for logging operations. The applicant is conducting a timber harvest to generate a source of income for future subdivision and development of the subject property.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the DES Wetlands Bureau's jurisdiction per Env-Wt 302.03. The applicant has proposed using existing logging trails and has minimized impacts to jurisdictional areas by crossing at the narrowest points. At the completion of logging operations, the pole crossings will be removed.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application

Evaluation, has been considered in the design of the project.

5. Per Env-Wt 501.01, abutter notification is not required for logging operations.
6. A site plan illustrating a conceptual 43-lot subdivision was submitted in support of the permit application.
7. The pole crossings are proposed in different locations than the permanent wetlands crossings for the subdivision access road.
8. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau will require a new application and approval by the Bureau. If the additional impacts are proposed within 5 years of the issuance date of this permit, the DES Wetlands Bureau shall consider the impacts in the aggregate per RSA 482-A:11 V.
9. The Conservation Commission signed the application but did not submit comments.

2006-01490 DUSSAULT, JOSEPH
HOLDERNESS Unnamed Wetland

Requested Action:

Dredge and fill 2100 square feet to regrade existing driveway.

APPROVE PERMIT:

Dredge and fill 2100 square feet to regrade existing driveway.

With Conditions:

1. All work shall be in accordance with plans received by the Department on June 15, 2006.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Work shall be conducted during low water conditions.
4. There shall be no more than 6 inches of gravel installed on existing roadway surface.
5. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.

2006-01522 MUSKAT, IRWIN
GILFORD Welch Island

Requested Action:

Repair two existing breakwaters using existing rocks that have fallen and construct a 247 sqft perched beach on Lake Winnepesaukee, Gilford.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Repair two existing breakwaters using existing rocks that have fallen and construct a 247 sqft perched beach on Lake Winnepesaukee, Gilford.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated June 01, 2006, as received by the Department on June 20, 2006.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Repair shall maintain existing size, location and configuration.
4. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
6. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
8. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
9. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
10. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 504.32). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
11. The steps installed for access to the water shall be located completely landward of the normal high water line.
12. No more than 10 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
13. This permit shall be used only once, and does not allow for annual beach replenishment.
14. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
15. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
16. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

2006-01588 BUTLER, JAMES
BARNSTEAD Unnamed Wetland

Requested Action:

Fill 2,828 sq. ft. of wetland and installation of two 30 inch culverts for access to uplands to a single family dwelling.

Conservation Commission/Staff Comments:

Con. Com. signed Expedited Application

APPROVE PERMIT:

Fill 2,828 sq. ft. of wetland and installation of two 30 inch culverts for access to uplands to a single family dwelling.

With Conditions:

1. All work shall be in accordance with plans by BAG Land Consultants dated May 4, 2006 as received by the Department on June 22, 2006.
2. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater and Erosion and Sediment Control Handbook for Urban

and Developing Areas in New Hampshire (August, 1992).

3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
4. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
5. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

2006-01589 BOWKER, ROBERT
MOULTONBOROUGH

Requested Action:

Repair an existing 5 ft by 41 ft permanent dock with an attached 9 ft 6 in by 7 ft wharf, supported by a 5 ft by 14 ft crib and a 4 ft by 16 ft post supported dock on 401 ft of frontage on Lake Winnepesaukee, Moultonborough.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

NH NHI and NH Fish and Game will not be submitting comments

APPROVE PERMIT:

Repair an existing 5 ft by 41 ft permanent dock with an attached 9 ft 6 in by 7 ft wharf, supported by a 5 ft by 14 ft crib and a 4 ft by 16 ft post supported dock on 401 ft of frontage on Lake Winnepesaukee, Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated June 01, 2006, as received by the Department on June 22, 2006.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Repair shall maintain existing size, location and configuration.
4. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
6. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
8. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

2006-01637 WYMAN VENTURES
LYME Unnamed Stream

Requested Action:

Dredge and fill approximately 75 square feet of wetlands to replace existing failing 16-inch x 15-foot HDPE culvert with a 16-inch x 15-foot HDPE culvert and retain impacts to 150 square feet (30 linear feet) of an intermittent stream for existing 16-inch x 30-foot HDPE culvert to upgrade existing snowmobile/woods road for residential access along right-of-way servicing 3 lots.

Conservation Commission/Staff Comments:

The Lyme Conservation Commission supports the proposed project.

APPROVE PERMIT:

Dredge and fill approximately 75 square feet of wetlands to replace existing failing 16-inch x 15-foot HDPE culvert with a 16-inch x 15-foot HDPE culvert and retain impacts to 150 square feet (30 linear feet) of an intermittent stream for existing 16-inch x 30-foot HDPE culvert to upgrade existing snowmobile/woods road for residential access along right-of-way servicing 3 lots.

With Conditions:

1. All work shall be in accordance with plans by Jonathan Masland dated May 25, 2006, as received by the Department on June 27, 2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Work shall be done during low flow conditions.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Culverts shall be laid at original grade.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(n), alteration of less than 50 linear feet of a intermittent stream.
2. In accordance with Env-Wt 304.04, permission was obtained from the abutting landowner for impacts to jurisdictional areas within 20-feet of the abutting property line.
3. The Lyme Conservation Commission supports the proposed project.
4. No comments were submitted from the Nongame and Endangered Wildlife Program of the NH Fish and Game Department.
5. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
6. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
7. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2006-01666 BREWSTER ACADEMY
WOLFEBORO Lake Winnepesaukee

Requested Action:

Dredge and fill approximately 300 square feet within jurisdiction further described as follows: Dredge and fill 45 square feet to repair existing culvert, and install rip rap along failed slope and fill 255 square feet to replenish existing beach with 8.5 cubic yards of sand on Lake Winnepesaukee, Wolfeboro.

APPROVE PERMIT:

Dredge and fill approximately 300 square feet within jurisdiction further described as follows: Dredge and fill 45 square feet to repair existing culvert, and install rip rap along failed slope and fill 255 square feet to replenish existing beach with 8.5 cubic yards of sand on Lake Winnepesaukee, Wolfeboro.

With Conditions:

1. All work shall be in accordance with plans received by the Department on June 29, 2006.
2. Work shall be done during periods of non-flow.
3. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. No more than 8.5 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
5. This permit shall be used only once, and does not allow for annual beach replenishment.
6. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x) Maintenance, repair, or replacement of a nondocking structure such as a culvert, and Env-Wt 303.04(aa) Replenishment of sand on an existing beach.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

AGRICULTURE MINIMUM

2006-01116 HAYES, SCOTT
LOUDON Field

Requested Action:

Dredge and fill 7200 square feet of poorly drained wet meadow for the construction of an irrigation pond.

APPROVE PERMIT:

Dredge and fill 7200 square feet of poorly drained wet meadow for the construction of an irrigation pond.

With Conditions:

1. All work shall be in accordance with plans by Natural Resource Conservation Service received by the Department on May 9, 2006.
2. Any change in use to a non-agricultural purpose will require further permitting by the DES Wetlands Bureau.
3. This permit shall be recorded with the county Registry of Deeds office by the permittee.
4. Work shall be done during periods of non-flow.
5. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Mulch within jurisdictional areas shall be straw.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(u), maintenance or improvement of existing crop or pasture land for continued agricultural use.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

GOLD DREDGE

2006-01750 OBRIEN, KEVIN
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath con comm:

2006-01751 OBRIEN, ERIK
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath con comm:

2006-01793 KISSINGER, RANDY
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath con com

TRAILS NOTIFICATION

2006-01685 WALLACE, ROBERT
TAMWORTH Unnamed Stream

COMPLETE NOTIFICATION:
Tamworth Tax Map 412, Lot# 1 & 4

LAKES-SEASONAL DOCK NOTIF

2006-01734 BRIGGS, MICHAEL & LINDA
BARRINGTON Swains Lake

COMPLETE NOTIFICATION:

Barrington NH Tax Map# 120 Lot# 0070 Swains Lake

2006-01735 GGE LAND ASSOCIATES LLC
NEW DURHAM Merry Meeting Lake

COMPLETE NOTIFICATION:

New Durham NH Tax Map# 34 Lot# 17 Merry Meeting Lake

2006-01736 CANAVARI, RUSSELL
MADISON Silver Lake

COMPLETE NOTIFICATION:

Madison NH Tax Map# 122 Lot# 3 Silver Lake

2006-01746 CANAVARI, RUSSELL
MADISON Silver Lake

COMPLETE NOTIFICATION:

Madison NH Tax Map# 122 Lot# 4 Silver Lake

2006-01756 BALCOM, LEE
WINDHAM Shadow Lake

COMPLETE NOTIFICATION:

Windham NH Tax Map# 13 Lot# 2 Block# J Shadow Lake

2006-01760 BUCKLEY, JAMES & CHRISTINE
SANDOWN Showell Pond

COMPLETE NOTIFICATION:

Sandown NH Tax Map# 03 Lot# 038 Showell Pond

2006-01779 DIMARTINO, GARY R
WOLFEBORO Sargents Pond

COMPLETE NOTIFICATION:

Wolfeboro NH Tax Map# 113 Lot# 23 Sargents Pond

ROADWAY MAINTENANCE NOTIF

2006-01748 NH DEPT OF TRANSPORTATION
OSSIPEE Unnamed Stream

2006-01753 NH DEPT OF TRANSPORTATION
EPSOM Unnamed Stream

2006-01754 NH DEPT OF TRANSPORTATION
MILAN Unnamed Stream

2006-01761 NH DEPT OF TRANSPORTATION DISTRICT ONE
NORTHUMBERLAND Unnamed Stream

2006-01762 NH DEPT OF TRANSPORTATION
SHELBURNE Unnamed Stream

2006-01764 NH DEPT OF TRANSPORTATION DISTRICT ONE
MILAN Unnamed Stream

2006-01774 NH DEPT OF TRANSPORTATION DISTRICT ONE
DUMMER Unnamed Stream

2006-01778 NH DEPT OF TRANSPORTATION
FRANCESTOWN Unnamed Stream

2006-01781 NH DEPT OF TRANSPORTATION
HOLLIS Unnamed Stream

2006-01784 NH DEPT OF TRANSPORTATION
HAMPTON FALLS Unnamed Stream

PERMIT BY NOTIFICATION

2006-01606 MACKENIZE, DOUGLAS
GILFORD Lake Winnepesaukee

Requested Action:

Install a 6 ft x 40 ft seasonal pier and install a concrete anchoring pad.

Conservation Commission/Staff Comments:

town clerk sent signed copy as received July 13, 2006

PBN IS COMPLETE:

Install a 6 ft x 40 ft seasonal pier and install a concrete anchoring pad.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a) construction of a seasonal pier.

2006-01659 GRANITE STATE GAS TRANSMISSION
EAST KINGSTON Unnamed Wetland

Requested Action:

Temporarily impact 600 square feet of wet meadow for the replacement of 100-feet of gas line within an existing right-of-way.

Conservation Commission/Staff Comments:

The East Kingston Conservation Commission signed the PBN.

PBN IS COMPLETE:

Temporarily impact 600 square feet of wet meadow for the replacement of 100-feet of gas line within an existing right-of-way.

2006-01690 BAHRE, ROBERT/SANDRA
ALTON Lake Winnepesaukee

Requested Action:

Repair/replace breakwater and cantilevered pier in kind

PBN IS COMPLETE:

Repair/replace breakwater and cantilevered pier in kind

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

2006-01729 MACDONALD, SCOTT
ENFIELD Mascoma Lake

Requested Action:

Install a PWC lift within existing docking system on 365 ft of frontage on Rust Pond in Wolfeboro.

PBN IS COMPLETE:

Install a PWC lift within existing docking system on 365 ft of frontage on Rust Pond in Wolfeboro.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(ad) Installation of a PWC lift

2006-01730 GRANITE STATE GAS TRANSMISSION
EXETER Unnamed Wetland

Requested Action:

Temporarily impact 1,200 square feet of wet meadow for the replacement of two (2) 10-foot sections of gas line within an existing right-of-way.

Conservation Commission/Staff Comments:

The Exeter Conservation Commission signed the PBN.

PBN IS COMPLETE:

Temporarily impact 1,200 square feet of wet meadow for the replacement of two (2) 10-foot sections of gas line within an existing right-of-way.

2006-01731 LINCOLN IV, GEORGE
WOLFEBORO Rust Pond

Requested Action:

Repair/replace existing crib supported docking facilities.

PBN IS COMPLETE:

Repair/replace existing crib supported docking facilities.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

2006-01739 DELANEY, WILLIAM & CONSTANCE
MEREDITH Lake Winnepesaukee

Requested Action:

Repair/Replace existing piling supported permanent docking facility.

PBN IS COMPLETE:

Repair/Replace existing piling supported permanent docking facility.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

2006-01740 BOINAY, PAUL
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Repair/replace an existing rip-rapped shoreline.

PBN IS COMPLETE:

Repair/replace an existing rip-rapped shoreline.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

2006-01757 SAYLES, RICHARD & JAN
HANOVER Connecticut River

Requested Action:

Install seasonal dock ramp, concrete pad and access stairs.

PBN IS COMPLETE:

Install seasonal dock ramp, concrete pad and access stairs.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a), construction of a seasonal pier.

2006-01780 TYO, DAVID
CANAAN Unnamed Wetland

Requested Action:

Request install 12' long 24" diameter culvert with riprap outlet and headwalls on culvert ends to impact approximately 487 square feet.

PBN IS COMPLETE:

Request install 12' long 24" diameter culvert with riprap outlet and headwalls on culvert ends to impact approximately 487 square feet.